

# Arnold & Porter

November 14, 2024

**VIA ECF**

Hon. Arun Subramanian  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007  
(212) 805-0238

Re: Nike, Inc. v. lululemon usa inc., Case No.: 1:23-cv-000771

Dear Judge Subramanian,

Nike, Inc. writes regarding Your Honor's Order setting a hearing on the pending *Daubert* and summary judgment motions. ECF No. 256. Nike's principal decisionmaker is traveling and unavailable on Thursday, November 21. The parties have conferred and both parties are available on Thursday, December 19.

As instructed by the Court, Nike sent a settlement proposal to lululemon today. Nike appreciates the Court's offer to assist with the parties' settlement discussions. After the parties "talk and exchange at least one demand and offer," Nike will provide a further update to the Court. *See* ECF No. 256.

Respectfully submitted,

Dated: November 14, 2024

/s/ Christopher J. Renk  
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